

members of the United States Secret Service Uniformed Division under section 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 [Pub. L. 101-509, § 529 [title IV, §§ 403-405], 5 U.S.C. 5305 note] applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

“(e) CONFORMING AMENDMENT.—[Amended Pub. L. 101-509, § 529 [title IV, § 405], set out as a note under section 5305 of Title 5, Government Organization and Employees.]

“(f) EFFECTIVE DATE.—The provisions of this section shall become effective on the first day of the first pay period beginning after the date of enactment of this Act [Oct. 10, 1997].”

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

### **[§ 205. Repealed. Pub. L. 91-217, § 1(7), Mar. 19, 1970, 84 Stat. 75]**

Section, act June 25, 1948, ch. 644, 62 Stat. 680, provided for appointment of members of White House Police force in accordance with civil service laws. See section 203(b) of this title.

### **§ 206. Privileges of civil-service appointees**

Members of the United States Secret Service Uniformed Division not appointed from the Metropolitan Police force or the United States Park Police force shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

(June 25, 1948, ch. 644, 62 Stat. 681; Pub. L. 91-217, § 1(8), Mar. 19, 1970, 84 Stat. 75; Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371.)

#### AMENDMENTS

1977—Pub. L. 95-179 substituted “United States Secret Service Uniformed Division” for “Executive Protective Service”.

1970—Pub. L. 91-217 substituted “Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force” for “Members appointed pursuant to section 205 of this title”.

#### TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### **§ 207. Participation in police and firemen’s relief fund**

(a) For the purposes of retirement under section 12 of the Act entitled “An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,<sup>1</sup> approved September 1, 1916, as amend-

<sup>1</sup>So in original. Probably should be followed by close quotation.

ed, service with the United States Park Police force shall be deemed service with the United States Secret Service Uniformed Division.

(b) Any member of the Metropolitan Police force appointed to the United States Secret Service Uniformed Division shall continue to be subject to the provisions of section 12 of such Act, and appointment of such member to the United States Secret Service Uniformed Division or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such Act.

(June 25, 1948, ch. 644, 62 Stat. 681; Pub. L. 91-217, § 1(1), Mar. 19, 1970, 84 Stat. 74; Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371.)

#### REFERENCES IN TEXT

Section 12 of the Act entitled “An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,” approved September 1, 1916, as amended, referred to in text, is act Sept. 1, 1916, ch. 433, § 12, 39 Stat. 718, as amended.

#### AMENDMENTS

1977—Pub. L. 95-179 substituted “United States Secret Service Uniformed Division” for “Executive Protective Service” wherever appearing.

1970—Pub. L. 91-217 substituted “Executive Protective Service” for “White House Police force” wherever appearing.

#### TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

### **§ 208. Reimbursement of State and local governments**

(a) In carrying out the functions pursuant to sections 202(8) and 202(10), the Secretary of Homeland Security may utilize, with their consent, on a reimbursable basis, the services, personnel, equipment, and facilities of State and local governments, and is authorized to reimburse such State and local governments for the utilization of such services, personnel, equipment, and facilities. The Secretary of Homeland Security may carry out the functions pursuant to sections 202(8) and 202(10) by contract. The authority of this subsection may be transferred by the President to the Secretary of State. In carrying out any duty under sections 202(8) and 202(10), the Secretary of State is authorized to utilize any authority available to the Secretary under title II of the State Department Basic Authorities Act of 1956.

(b) There is authorized to be appropriated, in addition to such sums as have been heretofore appropriated under this section—

(1) \$10,000,000 for each fiscal year beginning after September 30, 1991, for the payment of reimbursement obligations entered into under

subsection (a) without regard to the fiscal year such obligations were entered into, including obligations entered into before such date; and

(2) \$8,000,000 for the payment of reimbursement obligations entered into under subsection (a) before October 1, 1991, except that not more than \$4,000,000 of this amount shall be obligated or expended during fiscal year 1992.

Amounts appropriated under this subsection shall remain available until expended.

(Added Pub. L. 94-196, §1(d)(1), Dec. 31, 1975, 89 Stat. 1109; amended Pub. L. 97-418, §1(b), Jan. 4, 1983, 96 Stat. 2089; Pub. L. 99-93, title I, §126(c), Aug. 16, 1985, 99 Stat. 418; Pub. L. 99-399, title IV, §410, Aug. 27, 1986, 100 Stat. 866; Pub. L. 102-138, title I, §135(a)(1), (2), (c), Oct. 28, 1991, 105 Stat. 666, 667; Pub. L. 107-296, title XVII, §1703(a)(2), Nov. 25, 2002, 116 Stat. 2313.)

#### REFERENCES IN TEXT

Title II of the State Department Basic Authorities Act of 1956, referred to in subsec. (a), is title II of act Aug. 1, 1956, ch. 841, as added Aug. 24, 1982, Pub. L. 97-241, title II, §202(b), 96 Stat. 283, known as the Foreign Missions Act, which is classified principally to chapter 53 (§4301 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of title II to the Code, see Short Title note set out under section 4301 of Title 22 and Tables.

#### PRIOR PROVISIONS

A prior section 208 was renumbered 209 by Pub. L. 94-196.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-296 substituted “of Homeland Security” for “of Treasury” in two places.

1991—Subsec. (a). Pub. L. 102-138, §135(c), substituted “sections 202(8) and 202(10)” for “section 202(7)” wherever appearing.

Subsec. (b)(1). Pub. L. 102-138, §135(a)(1), substituted “\$10,000,000” for “\$7,000,000”, “1991” for “1982”, and “without regard to the fiscal year such obligations were entered into, including obligations entered into before such date” for “after such date”.

Subsec. (b)(2). Pub. L. 102-138, §135(a)(2), substituted “\$8,000,000” for “\$17,700,000” and “1991, except that not more than \$4,000,000 of this amount shall be obligated or expended during fiscal year 1992” for “1982”.

1986—Subsec. (a). Pub. L. 99-399 authorized the Secretary of State, in carrying out any duty under section 202(7), to utilize the authority under title II of the State Department Basic Authorities Act of 1956.

1985—Subsec. (a). Pub. L. 99-93 inserted sentence authorizing the Secretary of Treasury to carry out the functions pursuant to section 202(7) by contract.

1983—Subsec. (b). Pub. L. 97-418 substituted provisions authorizing appropriation of \$7,000,000 for each fiscal year beginning after Sept. 30, 1982, and \$17,700,000 for obligations entered into before that date, for provisions authorizing to be appropriated not more than \$3,500,000 for any fiscal year.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the United States Secret Service to the Department of Homeland Security, see section 1703(b) of Pub. L. 107-296, set out as a note under section 202 of this title.

#### EFFECTIVE DATE OF 1991 AMENDMENT

Section 135(a)(3) of Pub. L. 102-138 provided that: “The amendments made by this subsection [amending this section] shall take effect on October 1, 1991.”

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-93 effective Oct. 1, 1985, see section 126(e) of Pub. L. 99-93, set out as an Effective Date note under section 4314 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97-418 effective Jan. 4, 1983, except that no amount authorized to be appropriated by such amendment may be made available for use or obligation prior to Oct. 1, 1982, see section 2 of Pub. L. 97-418, set out as a note under section 202 of this title.

#### EFFECTIVE DATE

Section effective July 1, 1974, see section 1(e) of Pub. L. 94-196, set out as an Effective Date of 1975 Amendment note under section 202 of this title.

EX. ORD. NO. 12478. TRANSFER OF AUTHORITY TO THE SECRETARY OF STATE TO MAKE REIMBURSEMENTS FOR PROTECTION OF FOREIGN MISSIONS TO INTERNATIONAL ORGANIZATIONS

Ex. Ord. No. 12478, May 23, 1984, 49 F.R. 22053, provided:

By authority vested in me as President by the Constitution and statutes of the United States of America, and in accordance with the provisions of the Act of December 31, 1975, Public Law 94-196 (89 Stat. 1109), codified as sections 202(7) and 208(a) of Title 3, United States Code, as amended, it is hereby ordered as follows:

SECTION 1. There is transferred to the Secretary of State authority to determine the need for and to approve terms and conditions of the provision of reimbursable extraordinary protective activities for foreign diplomatic missions pursuant to section 202(7), and the authority to make reimbursements to State and local governments for services, personnel, equipment, and facilities pursuant to section 208(a) of Title 3, United States Code;

SEC. 2. There are transferred to the Secretary of State such unexpended moneys as may have been appropriated to the Department of the Treasury for the purpose of permitting reimbursements to be made under the provisions of section 208(a) of Title 3, United States Code;

SEC. 3. The authority transferred pursuant to this Order shall be exercised in coordination with protective security programs administered by the Secretary of State under the Foreign Missions Act of 1982 [22 U.S.C. 4301 et seq.]; authority available under that Act may also be applied to any foreign mission to which section 202(7) applies; and

SEC. 4. This Order shall be effective on October 1, 1984.

RONALD REAGAN.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title; title 22 section 4314.

### § 209. Appropriation to carry out provisions

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202-204, 207, and 208 of this title.

(June 25, 1948, ch. 644, 62 Stat. 681, §208; renumbered §209, Pub. L. 94-196, §1(d)(1), Dec. 31, 1975, 89 Stat. 1109.)

## CHAPTER 4—DELEGATION OF FUNCTIONS

Sec.

301. General authorization to delegate functions; publication of delegations.

302. Scope of delegation of functions.